

United States Senate

WASHINGTON, DC 20510-4802

February 21, 2014

Thomas R. Frieden
Director
Centers for Disease Control
1600 Clifton Road
Atlanta, GA 30333

Shawn M. Garvin
Regional Administrator
Environmental Protection Agency
1650 Arch Street
Philadelphia, PA 19103

Dear Director Frieden and Regional Administrator Garvin,

On January 13, 2014, I wrote both of your agencies asking that you collaborate closely to do a long-term study of the public health risks associated with the January 9 chemical spill into the Elk River near Charleston, West Virginia. As you know, this spill left 300,000 West Virginians without usable water for days and lingering questions and doubts that remain over a month after the spill. I am in receipt of your February 10, 2014 response to my letter, which indicates that you do not presently see a need for a long-term study. On behalf of 300,000 West Virginians, I would ask that you outline what factors have led to your determination that long-term health effects will not result from this incident. The National Science Foundation has called this chemical spill one of the largest human-made environmental disasters in this century and I continue to hear from those who must deal with its aftermath every day.

Little about this difficult event has followed a predictable trajectory and, despite the hopes that the ill effects would be behind us, this is not the case. I, along with many West Virginians am still uncertain of the safety of our drinking water due to the relative dearth of information associated with MCHM and PPH, as well as the ill effects many are experiencing. Whether this is from residual levels of the chemicals remaining in pipes, exposure to the chemicals through inhalation, or some other issue, it is essential that we figure out where the problem is so it can be appropriately addressed.

While, understandably, the initial focus of your investigations was on determining the level of the chemicals in the drinking water and their potential for causing harm, it is now

evident that additional information also is needed on the presence of these chemicals in the air and the potential harm that can come from inhaling them. I know our staffs have been in close contact on this particular issue, but, to express a sense of urgency, I request myself that you do the analysis necessary to explain the presence and potential impact of these chemicals in the air. With the recent closure of seven schools and an assortment of inhalation-related medical reports, understanding this area is crucial.

This request is in addition to my original request for CDC and EPA to study long-term public health risks associated with a spill of this magnitude, and one that I know Governor Earl Ray Tomblin has also expressed.

As I have at other junctures, I want to commend you for your work and acknowledge that the analysis of this event would have been far easier if toxicology and other information about the spilled chemicals had been readily available. Your agencies have taken many important steps over the last month, and I am grateful to you and your staffs for those efforts. That said, I want to remind you that, for West Virginians trying to make their best determinations, it can be better to have some information as it develops, rather than waiting for a final analysis. For example, while I appreciate the rigors involved in a formal Epi-Aid Study and that you are unlikely to have that study ready for publication soon, I believe that whatever information you might appropriately share from the data you collected still could prove very useful to people on the ground. Is there any reason this would not be possible? If not, please release whatever information you can at your earliest convenience.

Again, I am grateful for the expertise provided by your agencies and for your efforts to safeguard the health and well-being of West Virginians. Thank you in advance for your responsiveness to the above requests.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay Rockefeller". The signature is fluid and cursive, with the first name "Jay" written in a larger, more prominent script than the last name "Rockefeller".